121 all fulfilled in one person. But such individuals do exist, if in the
69 person of the investigator they find sympathy, broad ideas, a lack of all European racism, understanding, a knowledge of their language, and a benevolent devotion to their interests, individually and as a group.

Even if one has the good fortune to find a native who, after
121 much experience, reaches the point where he will say spontaneously:
124 "This is done often, but it is against the law; the law says thus and so; this decision of the tribunal was partial for such or such reason," -- an infinitely valuable situation, but one which arises very rarely -- one is not thereby absolved of the need to check his statements. But the further one goes, the more it is possible to be aware of the reality and to appraise the informant's value in this sphere and the usefulness of his statements.

These considerations are particularly valuable in making the
121 distinction between obligations and social decorum or good manners,
183 between legal obligations and obligations of kinship and mutual
671 assistance. In current practice the Nkundó make no clear lines of demarcation between these categories, since they have never codified their law or attempted to set up a clear and precise classification. They feel no more need for this than, for instance, they or even we "civilized" people bother about setting up a grammar for our native tongue, which we speak correctly and without the slightest difficulty, purely out of habit.

An investigation in the legal domain is made [18] very diffi-
[124] cult by the patriarchal and feudal character of these peoples, added to the lack of writing. Not only is there an adaptation to circumstances -- the felicitous flexibility of native laws -- in which jurisprudence plays a great role, but the Nkundó, while knowing well what is lawful and what is not, generally does not clearly understand the nature of an obligation, and above all he does not know its source.

One's chances of obtaining good results in the inquiry are
121 greatly increased by the use of hypothetical cases, presented to the
124 individuals one knows best and whom one knows to be in no way involved. It is always worthwhile to use this method as a means of completing and perhaps correcting conclusions based on the examination

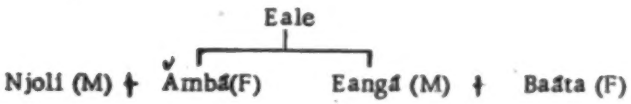
2: Hulstaert--234 M-5 (ca. 1930) 1938 FO32 Mongo FO32
Nkundu

582 602 The dispensation is given by the ndonga acting with the family council, which often yields before the fact, particularly if the second reason is involved. (1)

> 1. "To give a dispensation" is translated as kilola. A marriage contracted with a legitimate dispensation or one accorded because of the pressure of the accomplished fact is called kilɔkilɔlá, or "an affinity which is not maintained according to the regulations."

•[671] 2. Contrary to European law, which recognizes only a direct affinity between husband and his wife's family, Nkundɔ́ law also recognizes an indirect affinity, so that a person is affinally related even to the spouses of his wife's relatives. That is, each person is affinally related, not only to his spouse's kin, but also to their relatives by marriage. Thus, in the example below, Njoli and Baáta are true relatives by marriage, though indirect ones. (2)

> 2. The Nkundɔ́ do not make a terminological distinction between the two types of affinity. We are using the terms "direct" and "indirect" for the sake of convenience and clarity.



There is an important difference between the two types of affinity: direct affinity is a much greater obstacle to marriage than indirect affinity, and exceptions are made only rarely and only for certain degrees of relationship.

582 602 56 3) A distinction must be made between "superior" and "inferior" relatives, that is, between those who have [253] precedence

simply said that she has left her husband (aɔ̊kɔ́fa) and has been taken in marriage by X (aɔ̊kúmbwa éka Sóngɔ́lɔ́). Having fallen in love with another man's wife [390] and desiring to marry her, a man tries to win her favor. If she consents he collects the valuables necessary for the bride price. He then asks the woman to come to him and pays the bride price as for any marriage.

Instead of going directly to her seducer, the woman may also first go to her parents, especially if they are in favor of her plan. If they are not she would not succeed, because they would prevent her from carrying it out.

Cases of njangó were formerly rare because they were risky. As a matter of fact, they constituted a casus belli. Anyone who undertook such a venture had to be in a position to take the consequences of his act, especially with respect to the payment of an indemnity. Nowadays, on the other hand, these occurrences are much more frequent, even when the new husband does not have the means to pay the bride price at once. Nevertheless, the reversal in government policy is beginning to produce good results. The woman, or her mother, is often imprisoned; rarely the seducer. This penalty is often sufficient to restore order. But to keep from being exposed to further difficulties caused by the woman who no longer loves him, the abandoned husband sometimes refuses to take back his unfaithful wife.

The rarity of cases in former times as well as the fact that they constituted a legitimate reason for war shows that the njangó did not have the approval of Nkundɔ́ law but that it was more or less considered an infraction.

2) Taking refuge. Because of the change in circumstances, the practice of taking refuge is no longer common today. It used to be done as follows: A woman who absolutely wanted to leave her husband and had no means of doing so, since no man had asked for her in marriage and her parents were powerless to help her, went secretly to a rich and influential man whom she would have liked as a husband. She arrived unexpectedly, stood before him, or even threw herself at him, crying, [391] Bejwɔ́ bɛ́kɛ́! ónjéngé,